

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICARDO FRUTOS-LOPEZ,

Defendant.

2:05-CR-405 JCM (GWF)

Date: N/A

Time: N/A

ORDER

Presently before the court is the August 24, 2006, report and recommendation (#27) of Magistrate Judge Foley recommending that Defendant's Motion to Dismiss Indictment Based on Prior Unlawful Deportation be granted. No objections have been filed.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge Foley's report and recommendation (#27) is AFFIRMED in its entirety. The clerk shall enter judgment accordingly.

DATED this 19th day of September, 2006.


UNITED STATES DISTRICT JUDGE